

1 HEATHER E. WILLIAMS, #122664
2 Federal Defender
3 NOA E. OREN, #297100
4 Assistant Federal Defender
5 801 I Street, 3rd Floor
6 Sacramento, CA 95814
7 Telephone: (916) 498-5700
8 Noa_Oren@fd.org

9 Attorneys for Defendant
10 SYLVIA SIMONSEN

11
12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,) Case No. 3:19-mj-007 DMC
15 Plaintiff,)
16 v.) **STIPULATION AND [PROPOSED] ORDER
17 SYLVIA SIMONSEN,) TO CONTINUE PRELIMINARY HEARING
18 Defendant.) AND EXCLUSION OF TIME**
19) Date: January 15, 2020
20) Time: 2:00 p.m.
21) Judge: Hon. Edmund F. Brennan
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17 Plaintiff, United States of America, by and through Assistant United States Attorney
18 James Conolly and Defendant Sylvia Simonsen, through her attorney Noa E. Oren, Assistant
19 Federal Defender, hereby stipulate to continue the Preliminary Hearing set for January 15, 2020
20 to February 5, 2020, at 2:00 p.m.

21 The parties agree that the time beginning January 15, 2020 extending through February 5,
22 2020, should be excluded from the calculation of time under the Speedy Trial Act. Further, the
23 Defendant consents to an extension of the time for a Preliminary Hearing until February 5, 2020.
24 Fed.R.Crim.P. 5.1(d). The parties submit that the ends of justice are served by the Court
25 excluding such time, so that they may have reasonable time necessary for effective preparation,
26 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). In particular,

1 the time is required so that the parties can conduct investigation and review discovery. Ms.
2 Simonsen consents to this continuance.

3 The parties stipulate that the interests of justice outweigh the interest of the public and the
4 defendant in a speedy trial, 18 U.S.C. § 3161(b) and (h)(7)(A), and further that this good cause
5 outweighs the public's interest in the prompt disposition of criminal cases. Fed.R.Crim.P. 5.1(d).

6 IT IS SO STIPULATED.

7
8 Dated: January 13, 2020

HEATHER E. WILLIAMS
Federal Defender

10 /s/ Noa E. Oren
11 NOA E. OREN
12 Assistant Federal Defender
Attorney for SYLVIA SIMONSEN

13 Dated: January 13, 2020

MCGREGOR W. SCOTT
United States Attorney

14 /s/ James Conolly
15 JAMES CONOLLY
16 Assistant United States Attorney
17 Attorney for Plaintiff

ORDER

The Court has read and considered the Stipulation to Continue the Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4. The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The preliminary hearing is continued to February 5, 2020, at 2:00 p.m.
2. The time between January 15, 2020, and February 5, 2020, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T4.
3. Defendant shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: January 13, 2020

HON. EDMUND F. BRENNAN
United States Magistrate Judge